IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:17-CV-633-RJC-DCK

PHILLIP BONEY,)
Plaintiff,)
v.	ORDER
NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY,)))
Defendant.)
)

THIS MATTER IS BEFORE THE COURT on the "Joint Motion For Stay Pending Ruling On Summary Judgment" (Document No. 24) filed December 5, 2018. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will deny the motion.

By the instant motion, the parties seek to stay this matter pending a ruling on Defendant's "Motion For Summary Judgment" (Document No. 17). The motion notes that this matter is currently set for trial on January 7, 2019, thus triggering imminent pretrial deadlines. However, since the filing of this motion, the Honorable Robert J. Conrad, Jr. has *sua sponte* scheduled a motion hearing for December 20, 2018, and rescheduled trial in this case for March 4, 2019. As such, the undersigned finds that the request for a stay is moot and should be denied.

IT IS, THEREFORE, ORDERED that the "Joint Motion For Stay Pending Ruling On Summary Judgment" (Document No. 24) is **DENIED**.

SO ORDERED.

Signed: December 6, 2018

David C. Keesler

United States Magistrate Judge